

110TH CONGRESS  
1ST SESSION

# H. R. 3098

To amend title 49, United States Code, to provide certain exemptions to drivers of intrastate commercial motor vehicles engaged in agricultural purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 19, 2007

Mr. BOREN (for himself, Mr. ADERHOLT, and Ms. FALLIN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend title 49, United States Code, to provide certain exemptions to drivers of intrastate commercial motor vehicles engaged in agricultural purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. EXEMPTIONS FOR CERTAIN COMMERCIAL**  
4       **MOTOR VEHICLE DRIVERS.**

5       Section 31102 of title 49, United States Code, is  
6       amended by adding at the end the following:

7       “(f) EXEMPTIONS FOR CERTAIN COMMERCIAL  
8       MOTOR VEHICLE DRIVERS.—The Secretary of Transpor-  
9       tation shall not require a State that receives a grant under

1 this section to require drivers of intrastate commercial ve-  
 2 hicles engaged in agricultural-related purposes to comply  
 3 with the following provisions of title 49, Code of Federal  
 4 Regulation—

5 “(1) parts 380, 383, and 390;

6 “(2) paragraphs (1), (6), or (8) of section  
 7 391.11(b) of part 391;

8 “(3) subparts C, D, E (excluding section  
 9 391.41 which shall apply to a driver), and F of part  
 10 391;

11 “(4) part 395; and

12 “(5) sections 396.11, 396.13, and 396.15, and  
 13 paragraphs (b) and (c) of section 396.3 of part  
 14 396.”.

15 **SEC. 2. MOTOR VEHICLE WEIGHT CHANGES.**

16 Strike section 31301(4) of title 49, United States  
 17 Code, is amended to read as follows:

18 “(4) ‘commercial motor vehicle’ means a motor  
 19 vehicle used in commerce to transport passengers or  
 20 property that—

21 “(A) has a gross vehicle weight rating or  
 22 gross vehicle weight of at least 26,001 pounds;

23 “(B) is designed to transport at least 16  
 24 passengers, including the driver; or

1           “(C) is used to transport material found  
2           by the secretary to be hazardous under section  
3           5103, except that a vehicle shall not be included  
4           as a commercial motor vehicle under this sub-  
5           paragraph if—

6                   “(i) the vehicle is transporting mate-  
7                   rial listed as hazardous under section  
8                   306(a) of the Comprehensive Environ-  
9                   mental Response, Compensation, and Li-  
10                  ability Act of 1980 (42 U.S.C. 9656(a))  
11                  and is not otherwise regulated by the Sec-  
12                  retary or is transporting a consumer com-  
13                  modity or limited quantity of hazardous  
14                  material as defined in section 171.8 of title  
15                  49, Code of Federal Regulations; and

16                   “(ii) the Secretary does not deny the  
17                   application of this exception to the vehicle  
18                   (individually or as part of a class of motor  
19                   vehicles) in the interest of safety.”.

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